

JUDGE BATT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- V. -

EDGAR FERRER,

Defendant.

INDICTMENT

07 Cr.

07CRIM1207

COUNT ONE

The Grand Jury charges:

1. On or about August 3, 2007, in the Southern District of New York, EDGAR FERRER, the defendant, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code,
Sections 841(a)(1) & (b)(1)(C).)

COUNT TWO

The Grand Jury further charges:

2. On or about August 13, 2007, in the Southern District of New York, EDGAR FERRER, the defendant, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code,
Sections 841(a)(1) & (b)(1)(C).)

COUNT THREE

The Grand Jury further charges:

3. On or about September 12, 2007, in the Southern District of New York, EDGAR FERRER, the defendant, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code,
Sections 841(a)(1) & (b)(1)(C).)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offenses alleged in Counts One, Two and Three of this Indictment, EDGAR FERRER, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One, Two and Three of this Indictment.

Substitute Asset Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

- (1) cannot be located upon the exercise of due diligence;

- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)

Leah Geller
FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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EDGAR FERRER,

Defendant.

INDICTMENT

07 Cr.

(18 U.S.C. §§ 841(a)(1) & (b)(1)(C))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Foreperson.

12/19/07
Filed 12/19/07
EAG